

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1857.

PART SECOND.

AUGUSTA:
STEVENS & BLAINE, PRINTERS TO THE STATE.
1857.

THIRTY-SIXTH LEGISLATURE.

HOUSE.]

[No. 20

STATE OF MAINE.

OFFICE OF SECRETARY OF STATE, {
AUGUSTA, March 2, 1857. }

To the Speaker of the House of Representatives :

In compliance with an order of the House of Representatives, of this date, I herewith transmit the Report of the Commissioners appointed to take account of stock, tools, &c., in the State Prison, at Thomaston.

I have the honor to be,

very respectfully,

your obdt servant,

A. JACKSON,

Secretary of State.

STATE OF MAINE.

To the Hon. Governor and Council of the State of Maine :

The undersigned, Commissioners appointed to take an account of the stock, tools and other property, in the Maine State Prison, at Thomaston, and transfer the same to the custody of Thomas W. Hix, the recently appointed Warden, and settle with William Bennett, the late Warden, having attended to the duty assigned them, respectfully submit the following

R E P O R T :

Immediately after our appointment we visited the Prison, and after a careful examination and valuation of all the property shown us by the officers of the Prison as the property of the State, we have entered an account of the several articles, together with the value of the same, as by us adjudged, in detail, upon the books of the Prison. In estimating the value of the stock, tools, furniture, clothing, &c., it has been our object to ascertain the true value to the State, of the various articles in the several departments, in connection with the uses and wants to which they are applied, and not the amount which might be realized from the sale of the same, as such an estimate would, in our opinion, fall far below the value at which we have appraised them.

We find in the several departments of the Prison, according to our appraisal, the following amounts respectively, to wit :

In the wheel-wright department,	.	.	\$3,074 51
“ “ blacksmith “	.	.	1,480 62
“ “ clothing “	.	.	946 89
“ “ building and repair “	.	.	28 83

In fuel and lights department,	\$246 75
" the basket-making "	646 33
" " subsistence "	304 15
" " team "	88 50
" " shoe-making "	195 50
" " expense "	680 91
" " lime quarry, "	529 39
	<hr/>
	\$8,222 38

Amounting to eight thousand two hundred twenty-two 38-100ths dollars. Making a difference of three thousand eight hundred nineteen 10-100ths dollars less than the estimate of the Inspectors at their annual examination, December 31, 1856, as will be seen by reference to a table hereunto annexed.

This difference arises principally from what we deem to have been an over estimate, by the Inspectors of the stock, tools, &c., in the several departments of the Prison.

By reference to the table referred to, it will be seen that in the wheel-wright's department there is a difference of five hundred eighty-one dollars seventy-one cents. This is to be accounted for, in part, from sales of manufactured articles between the first day of January and the date of our appraisal, the period between making the two estimates, and the fact that little or no stock or tools have been added to the department during that period; but this difference arises principally from the over estimate before alluded to.

In the blacksmith department the difference is less, and arises principally from the fact that no additions have been made in stock or tools during the period before mentioned; and that the daily operations of the department require the use of stock, both in connection with the wheel-wright department, and jobs from without the Prison; thus reducing the value of stock on hand.

In the clothing department there is a difference of three hundred thirty-four 47-100ths dollars. By an examination of the books of the Prison, we found that the almost universal custom of former

Commissioners and Inspectors had placed the value of the beds in the cells at six dollars each, presuming that necessity would require them to be kept at about the same value from one year to another. This rule seems to have been set aside by the Commissioners of March 17th, 1856, when they were valued at three dollars only. While by the Inspectors' annual report, ten months after, the same was valued at six dollars thirty-six cents each; thus showing a fictitious gain of more than three hundred dollars in this department of the Prison, in favor of the State, while the actual value remained nominally the same.

The number of beds in the cells were also found to be ten less than were appraised by the Inspectors, in their annual report Dec. 31, 1856. And in the language of that report, "with such appraisals and such reports as these staring them in the face, we are not surprised that it was found difficult" to come at the true state of things.

In the tailors' shop connected with this department, we found a part of the stock nearly worthless, it having been on hand for several years, not having been considered worth the labor of manufacturing.

In the department of building and repairs we find nothing worthy of particular notice, with the exception of an old force pump, procured several years since, at an expense of one hundred dollars, which has never been of any practical value to the State, and seems to have been considered worthless by the Commissioners of March 17th, 1856, as it does not appear in their appraisal of that date, but seems suddenly to have returned to its original value, as appears by the report of the Inspectors, Dec. 31st, of the same year; thus adding another one hundred dollars to the visionary profits of the Prison, during the last year.

In the basket-making department we find but little difference since the annual examination, and nothing of sufficient importance to require special notice.

The fuel and lights department we found quite low, little or

nothing having been added since the annual examination by the Inspectors.

The subsistence department we found reduced so low, that in many essential articles not a single day's rations remained at the close of the late Warden's official service.

The adoption of a course calculated to leave the Prison without the necessary supplies during the severe winter months, when such supplies can only be obtained under embarrassed circumstances and at an increased cost, it seems to us cannot be dictated by sound discretion, or a desire to promote the interest of the State.

The team department we found embraced but little of value, as the late Warden had charged himself with nearly all which belonged to it at the annual examination.

The expense account we found to fall far below the estimate of the Inspectors in January. This difference arises in part from what we deem to have been an unusual, if not extraordinary value placed upon some of the articles comprising this department of the Prison. It also arises in part from the fact that some of the articles then enumerated did not now appear as the property of the State. By reference to the books of the Prison, it was ascertained that between one and two hundred dollars worth of property appraised in this department by the Inspectors, was wholly omitted by the Commissioners of March 17, 1856; thus adding that amount to others already mentioned, to make up the forced balances necessary to make it appear that during the past year the several departments of the Prison have earned more than two thousand dollars over the amount expended for the same; while, so far as our examination carries us, we are led to the conclusion that a fair valuation of the stock, tools, &c., both at the commencement and close of the period embraced in the report of the Warden and Inspectors, would show a large balance against the Prison, from its operations during that time.

The quarry department we found the same in quality, and nearly the same in quantity, as when appraised Dec. 31, 1856; but it will

be seen that our appraisal falls far below that of the Inspectors made at that time.

This large difference is occasioned in part by a difference of opinion as to the quality of a large amount of stone entered in their account as good lime stone; while in the opinion of those eminently qualified to judge, it has been pronounced worthless for that purpose, and has remained for some time in the quarry, unsold, except a small portion of which has been sold for ballast, at twenty-five cents per load.

In referring to the Inspectors appraisal in this department, we found that a temporary wall erected by the convicts for the purpose of preventing the dirt from falling into the quarry, was by them valued at one hundred and fifty dollars.

We are at a loss to conceive why it should be taken into the account as property on hand, unless it be for the purpose of swelling up the balances in favor of the Prison; consequently, we omitted it altogether.

In August, 1851, the shoe department was let, under contract, to Messrs. Carr & O'Brien, for the term of five years; at which time all the stock on hand was purchased by them, and an inventory of all the tools taken, amounting to one hundred ninety-five dollars and fifty cents, and the same delivered to the contractors, they giving a receipt for the same, to be returned in like good order and condition as when received, at the expiration of their contract.

Under an extension, that contract was in force Dec. 31, 1856, as well as at the present time; and the State being under no obligation to add to the amount or value of the tools, of course acquired no interest beyond the original amount covered by the receipt of the contractors; yet the Inspectors, Dec. 31, 1856, valued the tools in this department at three hundred dollars; thus adding to the same one hundred four dollars and fifty cents, while not one farthing of value has accrued to the State above the amount referred to. And so far as we are apprized, not the shadow of a reason exists for the addition of more than thirty-three per cent. to the actual interest

of the State in this department, except a desire to mislead the public mind in connection with the affairs of the Prison, by over-valuing the property on hand, so that a comparison of the receipts and stock on hand, with the actual charges against the Prison during the year, would show a large balance in favor of the State, while no such balance really existed.

In the frequent allusions we have found it necessary to make to the report of the Inspectors, during the past year, we disclaim all intention of assailing their judgment, or questioning the motives which governed them in that appraisal. But from the fact that so large a margin appears between their estimate and ours, made only a few weeks later, we have in justice to ourselves alluded to what we believe to be some of the causes which have produced that difference.

We have also examined and audited the account of William Bennett, late Warden, from Jan. 1, 1857, to Feb. 11, embracing the period from the annual settlement by the Inspectors, up to the time last mentioned, at which time his official duties ceased, and find the same correctly kept and properly vouched for that period. It being made by law a part of the Inspectors duty to settle annually with the Warden, and it appearing by their certificate that they had attended to that duty, we did not judge it to be within the range of our legitimate duties to examine or revise a settlement made by legally appointed officers, and by authority and sanction of law, whatever might be our personal opinions as to the nature of the charges allowed, or the mode of reaching that settlement.

We also examined all the notes and accounts shown us, due from and to the Prison, and find that there is

Due from the Prison, on notes, . . .	\$6,024 29
“ “ “ “ accounts, . . .	3,540 12
Amounting to	<hr/> \$9,564 41

Due to the Prison, on notes, . . .	\$ 364 33
“ “ “ “ accounts, . . .	1,058 71
	<hr/> \$1,423 04
Making amount of debts over credits, . . .	\$8,141 37

Upon a careful investigation of the claims due the Prison, we are of opinion that not more than fifty per cent. can ever be realized from them.

It will be seen that the actual amount of the debts due from the Prison, as appears by the books, amount to nine thousand five hundred sixty-four dollars and forty-one cents; and it may fairly be presumed, that there are bills outstanding, not yet rendered, sufficient to swell that amount to ten thousand dollars. Many of these claims have long been over due, much to the inconvenience of the claimants, and disparaging to the credit of the State; and on some, cost has already accrued to the State.

In closing our report, we cheerfully bear testimony to the gentlemanly deportment of the Warden and Clerk; and, also, render to them our thanks for the aid and assistance afforded us in the discharge of our official duties. Also, to the subordinate officers of the Prison, for their kind and gentlemanly treatment, during our stay.

L. G. PHILBROOK,	} <i>Commissioners.</i>
R. C. STICKNEY,	
M. AUSTIN,	

THOMASTON, Feb. 28th, 1857.

TABLE

Showing the estimates of the Inspectors, Dec. 31, 1856, and the Commissioners, Feb. 11, 1857,—showing the difference in the several departments, to wit:

	Inspectors estimate, Dec. 31, 1856.		Commiss'rs estimate, Feb. 11, 1857.		Difference.	
					Loss.	Gain.
Wheel-wright,	\$	3,656 22	\$3,074 51	\$	581 71	
Blacksmith,		1,833 46	1,480 62		352 84	
Clothing,		1,291 56	946 89		344 67	
Building,		135 79	28 83		106 96	
Fuel and lights,		525 64	246 75		278 89	
Basket,		576 38	646 33		-	\$69 95
Subsistence,		774 63	304 15		470 48	
Team,		364 50	88 50		276 00	
Shoe-making,		300 00	195 50		104 50	
Expense,		1,120 90	680 91		439 99	
Quarry,		1,462 40	529 39		933 01	
		<hr/>	<hr/>		<hr/>	<hr/>
		\$12,041 48	\$8,222 38		\$3,889 05	\$69 95
					\$ 69 95	
					<hr/>	<hr/>
Making a difference of			.	.	\$3,819 10	

TABLE showing the estimate of the Commissioners appointed to take account of stock, tools, &c., at the time of the three last changes which have occurred in the Wardenship of the Prison, to wit:

Commissioners, April 30, 1855.	Commissioners, March 17, 1856.	Commissioners, Feb. 11, 1857.
\$8,154 66	\$8,113 54	\$8,222 48

STATE OF MAINE.

IN COUNCIL, Feb. 28, 1857.

Read, accepted and ordered on file.

ATTEST :

A. JACKSON, *Secretary of State.*

HOUSE OF REPRESENTATIVES, }
March 3, 1857. }

On motion of Mr. Duren, 350 copies of the foregoing Report was ordered to be printed for the use of the Legislature.

GEO. W. WILCOX, *Clerk.*